

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

## ORDER

The Magistrate Judge filed a Recommendation (Doc. #62) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the Court finds that the Recommendation should be adopted.

Accordingly, it is ORDERED that:

1. The RECOMMENDATION of the Magistrate Judge (Doc. #62) is ADOPTED;
2. The motion to dismiss filed by the Plaintiff on January 8, 2008 (Doc. #60) is GRANTED;
3. The Plaintiff's claims against Prison Health Services are dismissed with prejudice;
4. Prison Health Services is dismissed from this action;

5. The Plaintiff's claims against the remaining defendants are referred back to the Magistrate Judge for further proceedings.

Done, this 29th day of January 2008.

/s/ W. Harold Albritton  
SENIOR U. S. DISTRICT JUDGE